

JC  
JCWSCS 2 4 NOV 2004

NOV-23-04 03:50PM FROM-Fenwick & West

415 281 1350

FILE COPY  
T-318 P.001/061 F-974



# FENWICK & WEST LLP

SAN FRANCISCO OFFICE | 275 BATTERY ST., SUITE 1500 | SAN FRANCISCO, CA 94111

TEL 415.875.2300 | FAX 415.281.1350 | WWW.FENWICK.COM

## FACSIMILE TRANSMISSION

### CONFIDENTIAL

DATE: November 23, 2004

CLIENT-MATTER No.: 23546-08072US  
Client Ref. No. BIOL0002US

To:

| NAME                     | FAX No.        | PHONE No. |
|--------------------------|----------------|-----------|
| Commissioner for Patents | (703) 746-9195 |           |

FROM: Susan Hubl  
SENT BY: Tracie Brooks

PHONE: (415) 875-2316  
PHONE: (415) 875-2482

|                                     |                          |
|-------------------------------------|--------------------------|
| NUMBER OF PAGES WITH COVER PAGE: 16 | ORIGINAL WILL NOT FOLLOW |
|-------------------------------------|--------------------------|

MESSAGE:

App. No.: 10/789,526  
Filing Date: February 26, 2004

PLEASE SEE THE ATTACHED  
*REQUEST FOR CORRECTED FILING RECEIPT*

### CAUTION - CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE OR THEIR DESIGNEE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, OR IF THEY ARE NOT CLEAR,  
PLEASE CALL Tracie Brooks AT (415) 875-2482 AS SOON AS POSSIBLE.



|   |                        |  |                        |                                       |
|---|------------------------|--|------------------------|---------------------------------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence during pendency of filed application) | 0001/PTO<br>Rev. 10/95 | U.S. Department of Commerce<br>Patent and Trademark Office | Application Number     | 10/789,526                            |
|   |                        |  | Filing Date            | February 26, 2004                     |
|   |                        |  | First Named Inventor   | George Tachas                         |
|   |                        |  | Group Art Unit Number  | 1651                                  |
|   |                        |  | Examiner Name          | Unassigned                            |
| Total Number of Pages in This Submission  |                        | 16   | Attorney Docket Number | 23546-08072US (Client No: BIOL0002US) |

| ENCLOSURES (check all that apply)   |   |
|---|---|
| <input type="checkbox"/> Fee Transmittal Form (in duplicate)<br><input type="checkbox"/> Check Enclosed                           | <input type="checkbox"/> Issue Fee Transmittal  |
| <input type="checkbox"/> Return Receipt Postcard  | <input type="checkbox"/> Letter to Chief Draftsperson   |
| <input type="checkbox"/> Response to Notice to File Missing Parts   | <input type="checkbox"/> Formal Drawing(s):<br>[ ] Sheet(s) of Figure(s) [ ]  |
| <input type="checkbox"/> Assignment & Recordation Cover Sheet   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences   |
| <input type="checkbox"/> Declaration  | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)                               |
| <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A<br><input type="checkbox"/> Copies of IDS Cited References | <input type="checkbox"/> Certified Copy of Priority Document(s)   |
| <input checked="" type="checkbox"/> Request for Corrected Filing Receipt  | <input type="checkbox"/> After Allowance Communication to Group   |
| <input type="checkbox"/> Request for Correction of Recorded Assignment  | <input checked="" type="checkbox"/> Fax cover sheet   |
| <input type="checkbox"/> Preliminary Amendment: [ ] Page(s)<br><input type="checkbox"/> After Final                               | <input checked="" type="checkbox"/> Copy of Preliminary Amendment filed June 9, 2004 with Substitute Application Data Sheet |
| <input type="checkbox"/> Status Request   | <input checked="" type="checkbox"/> Copy of filing receipt 60/490,230   |
| <input type="checkbox"/> Revocation and Substitute Power of Attorney  | <input checked="" type="checkbox"/> Marked up filing receipt for 10/789,526   |
| REMARKS:  |   |

| SIGNATURE OF ATTORNEY OR AGENT |                                |
|--------------------------------|--------------------------------|
| Signature:                     | <i>Susan T. Hubl</i>           |
| Attorney/Reg. No.:             | Susan T. Hubl, Reg. No. 47,668 |
| Dated:                         | 11/23/04                       |

| CERTIFICATE OF FACSIMILE TRANSMISSION  |                      |
|--|----------------------|
| I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at the facsimile number indicated below. |                      |
| Signature:   | <i>Susan T. Hubl</i> |
| Typed or Printed Name:   | Susan T. Hubl        |
| Dated:   | 11/23/04             |
| Facsimile Number:  | 1-703-746-9195       |

23546/08072/SF/5122693.1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|  |  |
|--|--|
| APPLICANT(S):  | George Tachas, et al.  |
| APPLICATION NO.:   | 10/789,526   |
| FILING DATE:   | February 26, 2004  |
| TITLE:   | MODULATION OF GROWTH HORMONE RECEPTOR EXPRESSION AND INSULIN-LIKE GROWTH FACTOR EXPRESSION |
| EXAMINER:  | Unassigned   |
| GROUP ART UNIT:  | 1651   |
| ATTY. DKT. NO.:  | 23546-08072/US (BIOL0002US)  |
| <b>CERTIFICATE OF MAILING/TRANSMISSION</b><br>I hereby certify that this correspondence is being transmitted on the date shown below to the US Commissioner for Patents, via facsimile number 703-746-9195.<br>Dated: <u>11/23/04</u> By: <u>Susan T. Hubl</u><br>Susan T. Hubl, Ph.D., Reg. No.: 47,668 |  |

COMMISSIONER FOR PATENTS  
OFFICE OF INITIAL PATENT EXAMINATION  
CUSTOMER SERVICE CENTER  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

## REQUEST FOR CORRECTED FILING RECEIPT

Enclosed is a copy of the Official Filing Receipt. The Filing Receipt should be corrected to remove the "\*\*\*" in the **Domestic Priority Data as Claimed by Applicant**. The descriptive sentence "(\*) Data provided by applicant is not consistent with PTO records" should also be removed. Please see the marked up copy of the official filing receipt attached. The correct **Domestic Priority Data as Claimed by Applicant** is evidenced by the preliminary amendment filed by the Applicant on June 9, 2004. Copies of this preliminary amendment and the substitute application data sheet submitted at that time are enclosed. A copy of the filing receipt for USSN 60/490,230, filed July 25, 2003 is also enclosed. Please issue a corrected Filing Receipt rectifying this error.

Respectfully submitted,  
GEORGE TACHAS, ET AL.

Dated: 11/23/04

By: Susan T. Hubl  
Susan T. Hubl, Ph.D. Patent Agent  
Reg. No.: 47,668  
Fenwick & West LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
Tel.: (415) 875-2316  
Fax.: (650) 938-5200

23546/08072/SF/5132791.1



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1439  
 Alexandria, Virginia 22313-1439  
 www.uspto.gov

| APPL NO.   | FILING OR 371<br>(c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/789,526 | 02/26/2004                | 1651     | 1608          | 23546-08072     |          | 45       | 6        |

CONFIRMATION NO. 9932

## CORRECTED FILING RECEIPT



\*OC000000014151660\*

35807  
 FENWICK & WEST LLP  
 801 CALIFORNIA STREET  
 MOUNTAIN VIEW, CA 94014

Fenwick &amp; West

OCT 26 2004

Received

Date Mailed: 10/22/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

George Tachas, Melbourne, AUSTRALIA;  
 Kenneth W. Dobie, Del Mar, CA;  
 Ravi Jain, Carlsbad, CA;  
 Christopher Belyea, Melbourne, AUSTRALIA;  
 Mark A. Heffernan, Melbourne, AUSTRALIA;

## Assignment For Published Patent Application

Isis Pharmaceuticals, Inc., Carlsbad, CA  
 Antisense Therapeutics, Inc.

Power of Attorney: The patent practitioners associated with Customer Number 35807.

## Domestic Priority data as claimed by applicant

This appln claims benefit of 60/451,455 02/28/2003  
 and claims benefit of 60/490,230 07/25/2003

(\*) Data provided by applicant is not consistent with PTO records.

## Foreign Applications

If Required, Foreign Filing License Granted: 04/13/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/789,526**

Projected Publication Date: 12/09/2004

Non-Publication Request: No

Early Publication Request: No

COPY

**Title**

Modulation of growth hormone receptor expression and insulin-like growth factor expression

**Preliminary Class**

435

---

**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

23546-08146 US

MJS



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPL NO.   | FILING OR 371<br>(c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 60/490,230 | 07/25/2003                |          | 160           | BIOL0002US.L2   |          |          |          |

CONFIRMATION NO. 2157

35807  
FENWICK & WEST LLP  
801 CALIFORNIA STREET  
MOUNTAIN VIEW, CA 94014

## FILING RECEIPT



\*OC000000011135732\*

Date Mailed: 10/30/2003

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Kenneth W. Dobie, Del Mar, CA;  
Ravi Jain, Carlsbad, CA;  
George Tachas, Melbourne, AUSTRALIA;  
Chris Belyea, Melbourne, AUSTRALIA;  
Mark Heffernan, Melbourne, AUSTRALIA;

If Required, Foreign Filing License Granted: 10/29/2003

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

## Title

Modulation of growth hormone receptor expression and Insulin-like growth factor expression

LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**FENWICK & WEST LLP**

SAN FRANCISCO OFFICE | EMBARCADERO CENTER WEST  
275 BATTERY ST., SUITE 1500 | SAN FRANCISCO, CA 94111  
TEL 415.875.2300 | FAX 415.281.1350 | WWW.FENWICK.COM

**FACSIMILE TRANSMISSION****CONFIDENTIAL**

DATE: June 9, 2004

**COPY**

CLIENT-MATTER No.: 23546-08072US

Client Ref. No. BIOL0002US

**To:**

| NAME  | FAX No.        | PHONE No. |
|-------|----------------|-----------|
| USPTO | (703) 872-9306 |           |

**FROM:** Susan T. Hubl  
Reg. No. 47,668**PHONE:** (415) 875-2316**SENT BY:** Tracie Brooks**PHONE:** (415) 875-2482

NUMBER OF PAGES WITH COVER PAGE: 7

ORIGINAL WILL NOT FOLLOW

**MESSAGE:**

Application No.: 10/789,526

Filing Date: February 26, 2004

Inventor(s): George Tachas, et al

Title: MODULATION OF GROWTH HORMONE RECEPTOR EXPRESSION AND  
INSULIN-LIKE GROWTH FACTOR EXPRESSION

*Please See The Attached*  
**PRELIMINARY AMENDMENT**

A1000/00103/SF/5121030.1

**CAUTION - CONFIDENTIAL**

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE OR THEIR DESIGNEE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, OR IF THEY ARE NOT CLEAR,

PAGE 8/16 \* RCVD AT 11/23/2004 6:50:51 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-2/1 \* DNIS:7469195 \* CSID:4152811350 \* DURATION (mm:ss):05:58


**COPY**

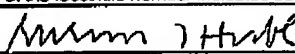


COPY

|  |                        |  |                        |                                       |
|--|------------------------|--|------------------------|---------------------------------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence during pendency of filed application)</i> | 0001/PTO<br>Rev. 10/95 | U.S. Department of Commerce<br>Patent and Trademark Office | Application Number     | 10/789,526                            |
|  |                        |  | Filing Date            | February 26, 2004                     |
|  |                        |  | First Named Inventor   | George Tachas                         |
|  |                        |  | Group Art Unit Number  | 1651                                  |
|  |                        |  | Examiner Name          | Unassigned                            |
| Total Number of Pages in This Submission   | 7                      |  | Attorney Docket Number | 23546-08072US (Client No: BIOL0002US) |

| ENCLOSURES (check all that apply)   |   |
|---|---|
| <input type="checkbox"/> Fee Transmittal Form (in duplicate)<br><input type="checkbox"/> Check Enclosed                           | <input type="checkbox"/> Issue Fee Transmittal  |
| <input type="checkbox"/> Return Receipt Postcard  | <input type="checkbox"/> Letter to Chief Draftsperson   |
| <input type="checkbox"/> Response to Notice to File Missing Parts   | <input type="checkbox"/> Formal Drawing(s):<br>[ ] Sheet(s) of Figure(s) [ ]                  |
| <input type="checkbox"/> Assignment & Recordation Cover Sheet   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences           |
| <input type="checkbox"/> Declaration  | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> Power of Attorney  | <input type="checkbox"/> Certified Copy of Priority Document(s)                               |
| <input type="checkbox"/> Application Data Sheet   | <input type="checkbox"/> After Allowance Communication to Group                               |
| <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A<br><input type="checkbox"/> Copies of IDS Cited References | <input checked="" type="checkbox"/> Fax cover sheet   |
| <input type="checkbox"/> Request for Corrected Filing Receipt   | <input checked="" type="checkbox"/> <del>Substitute Data Entry Sheet</del> ADS                |
| <input type="checkbox"/> Request for Correction of Recorded Assignment  | <input type="checkbox"/>  |
| <input checked="" type="checkbox"/> Preliminary Amendment: [ 3 ] Page(s)<br><input type="checkbox"/> After Final                  | <input type="checkbox"/>  |
| <input type="checkbox"/> Status Request   | <input type="checkbox"/>  |
| <input type="checkbox"/> Revocation and Substitute Power of Attorney  | <input type="checkbox"/>  |
| REMARKS:  |   |

| SIGNATURE OF ATTORNEY OR AGENT |   |        |              |
|--------------------------------|---|--------|--------------|
| Signature:                     |  |        |              |
| Attorney/Reg. No.:             | Susan T. Hubl, Reg. No. 47,668  | Dated: | June 9, 2004 |

| CERTIFICATE OF FACSIMILE TRANSMISSION  |   |        |              |
|--|---|--------|--------------|
| I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at the facsimile number indicated below. |   |        |              |
| Signature:   |  |        |              |
| Typed or Printed Name:   | Susan T. Hubl   | Dated: | June 9, 2004 |
| Facsimile Number:  | 1-703-872-9306  |        |              |

23546/08072/SF/5122693.1

COPY